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**ACTION MINUTES
ADJOURNED REGULAR MEETING
TORRANCE CITY COUNCIL
JULY 12, 2005**

OPENING CEREMONIES

1. CALL MEETING TO ORDER.

ROLL CALL: Mr. Lieu, Mr. Mauno, Mrs. McIntyre, Mr. Nowatka,
Mr. Scotto, Mrs. Witkowsky, Mayor Walker

****ACTION:** Meeting called to order at 6:00 pm with all members present except Councilmember Mauno and Lieu and immediately recessed to closed session to consider matters listed under 17 Executive Session.

****ACTION:** Mayor Walker stated that subsequent to the posting of the agenda, city staff became aware of the need to consider approval of various documents related to the Workforce Development Division lease with Worldport. It was commercially necessary for Council to take immediate action and approve a 1) Subordination agreement, 2) Acknowledgment of lease assignment, 3) Estoppel agreement, and 4) Attornment and non-disturbance agreement. The City Manager asked that City Council add the item to the agenda. In order to take action on a matter not on the agenda, the California Government Code requires determination by two-thirds vote of the Council that immediate action was necessary and arose subsequent to the posting of the agenda. Moved by Councilmember Scotto with a second by Councilmember McIntyre, Absent Councilmembers Lieu and Mauno. The motion passed with a unanimous vote and the matter was added and considered GC Section 54954.2 (b)(2) as Item 7L.

****ACTION:** City Council recessed to closed session to consider matters listed under 17 Executive Session.

****ACTION:** Councilmember Lieu joined the meeting in closed session at 6:04 p.m.

****ACTION:** City Council reconvened at 7:00 p.m.

2. FLAG SALUTE:

NON SECTARIAN INVOCATION:

The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

****ACTION:** Flag salute was led by Councilmember Lieu.
Councilmember Witkowsky gave the invocation.

**3. MOTION TO ACCEPT AND FILE REPORT OF THE CITY CLERK ON THE POSTING OF THE AGENDA.
MOTION TO WAIVE FURTHER READING.**

****ACTION:** Accepted. (Nowatka/Lieu) (Absent Mauno);
Waived. (Nowatka/Lieu) (Absent Mauno).

4. ANNOUNCEMENT OF WITHDRAWN OR DEFERRED ITEMS.

****ACTION:** City Manager Jackson announced that Item 7J was withdrawn and Item 7L was added.

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5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS:

****ACTION:** Mayor Walker announced that the meeting would be adjourned in memory of Gloria Jean Schmidt.

6. COMMUNITY MATTERS

A. Recommendation of the **Workforce Investment Network Policy Board** that City Council appoint and officially swear in the Carson/Lomita/Torrance Workforce Investment Network (WIN) Board members.

****ACTION:** Concurred with recommendation to appoint John Means, El Camino College, Simmie McDaniel, Employment Development Department; Mary Montague, Toyota Motor Sales; Willa Robinson, Employment Development Department; Joan Smith, Human Resources Consultants, and Peter Warner, Salvation Army. City Clerk Herbers gave the oath of office to members present. (Nowatka/McIntyre) (Absent Mauno)

7. CONSENT CALENDAR

Items A-C, E-H, K-L on the Consent Calendar were considered routine and were enacted by one motion and one vote. There was no separate discussion of these items. Items D and I were removed to be considered separately. Item J was withdrawn. Item L was added.

****ACTION:** Approved Items A-C, E-H, K-L (Witkowski/Scotto) (Absent Mauno)

A. Approval of minutes of May 10, 2005 and May 17, 2005.

****ACTION:** Approved. (Witkowski/Scotto) (Absent Mauno)

B. Recommendation of the **Fire Chief** that City Council approve a one-year consulting services agreement with Gary F. Brown ("Consultant"), from July 1, 2005 to June 30, 2006, in an amount not to exceed \$28,000 for provision of Critical Incident Stress Management Program.

****ACTION:** Approved. (Witkowski/Scotto) (Absent Mauno)

C. Recommendation of the **Fire Chief** that City Council authorize a purchase order be issued to Life-Assist, Inc. in the amount not to exceed \$55,500 for one-year supply of paramedic supplies as a cooperative purchase with the City of Pasadena.

****ACTION:** Authorized. (Witkowski/Scotto) (Absent Mauno)

ADDENDUM – ITEM CONSIDERED SEPARATELY.

D. Recommendation of the **General Services Director** that City Council authorize the direct sale of seven (7) surplus/obsolete vehicles as follows: Two (2) vehicles to Torrance Unified School District for a total of \$1,953 and four (4) "totaled" vehicles to Schimmick's Auto Dismantlers Inc. for a total of \$3,250, and further authorize Ken Porter Auction Company to facilitate the sale of an additional two (2) surplus/obsolete vehicles.

****ACTION:** (Witkowski/Scotto) (Absent Mauno)

E. Recommendation of the **Public Works Director** that City Council:

- 1) Approve a contract services agreement in the amount of \$29,420 with Labelle-Marvin, Inc. to provide a pavement structural evaluation and analysis

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services for the Torrance Boulevard Rehabilitation (Sartori Avenue to west City limit), T-43/44; and

- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

****ACTION:** Concurred with staff recommendation. (Witkowski/Scotto) (Absent Mauno)

- F. Recommendation of the **Public Works Director** that City Council reject all bids received on May 19, 2005 for the Construction of Modifications to the Airport Entrance (B2005-26).

****ACTION:** Rejected all bids. (Witkowski/Scotto) (Absent Mauno)

- G. Recommendation of the **Public Works Director** that City Council:

- 1) Approve Change Order No. 1 to the existing public works agreement with Robert G. Castongia, Inc., (C2005-072) in an amount of \$114,204 plus a 5% contingency of \$5,710.20, for a new not to exceed amount of \$2,662,747.60, and to delete all previously existing and intended new manual read meters included in said agreement, and replace with water meters with automatic meter read meters, radio interfaces and meter boxes associated with the I-24 Water Main Replacement Project, WP-255; and Water Main Replacement at Via Corona, WP-269;
- 2) Appropriate \$119,914.20 from the Water Enterprise Fund to cover the costs for this change order for new automatic meter read meters, radio interfaces and meter boxes; and
- 3) Authorize the Public Works Director to execute said change order.

****ACTION:** Concurred with staff recommendation. (Witkowski/Scotto) (Absent Mauno)

- H. Recommendation of the **Public Works Director** that City Council:

- 1) Approve the plans and specifications for the 2005 Curb, Gutter and Sidewalk Replacement Program (various locations), I-1 (B2005-33);
- 2) Accept the "Claim of Error" letter from Elite Bobcat Service, Inc., the apparent lowest bidder, and reject their Bidder's Proposal;
- 3) Award a public works agreement to Damon Construction Company in the amount of \$1,082,441 and authorize a 5% contingency in the amount of \$54,122 for this project; and
- 4) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

****ACTION:** Concurred with staff recommendation. (Witkowski/Scotto) (Absent Mauno)

ADDENDUM – ITEM CONSIDERED SEPARATELY.

- I. Recommendation of the **Community Services Director** that City Council accept and appropriate a gift in the amount of \$13,000 from the Friends of the Torrance Library to be used to purchase a "Collection Exchange" software program for the Library's automation system.

****ACTION:** Concurred with staff recommendation to . (Witkowski/Scotto) (Absent Mauno)

ADDENDUM

- J. Recommendation of the **Fire Chief** that City Council approve a reimbursement and indemnity agreement between Standard Pacific Corporation and the City of Torrance for the Human Health Risk Assessment being performed by the California Office of Environmental Health Hazard Assessment regarding 1800 Oak Street.

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****ACTION:** Item was withdrawn.

K. Recommendation of the **Public Works Director** that City Council:

- 1) Approve a consulting services agreement with Carollo Engineers for the preliminary design services for the Walteria and Ben Haggott Reservoirs Rehabilitation, CIP No. S-31, in the amount not to exceed \$99,317; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

****ACTION:** Concurred with staff recommendation. (Witkowski/Scotto) (Absent Mauno)

ITEM ADDED (see Page 1) – ITEM CONSIDERED SEPARATELY.

L. Recommendation of the **Human Resources Director** that City Council authorize the execution of a Subordination Agreement, Acknowledgment of Lease Assignment, Estoppel, Attornment, and Non-Disturbance Agreement with WorldPort, LLC.

****ACTION:** Authorized. (Witkowski/Scotto) (Absent Mauno)

11. ADMINISTRATIVE MATTERS

A. Recommendation of the **City Manager** that City Council adopt a **RESOLUTION** regarding hours, wages, and working conditions for Police Managers listed in the Safety Management pay resolution for the pay period beginning June 26, 2005.

****ACTION:** Concurred with staff recommendation. (Scotto/Lieu) (Absent Mauno)

****ACTION:** Adopted **RESOLUTION 2005-50.** (Scotto/Lieu) (Absent Mauno)

SETTING FORTH HOURS, WAGES, AND WORKING CONDITIONS FOR SAFETY MANAGEMENT EMPLOYEES, AND REPEALING RESOLUTION NO. 2003-180

B. Recommendation of the **City Manager** that City Council adopt in principle a Memorandum of Intent (MOI) for employees represented by the Torrance Police Officers Association (TPOA). It is also recommended that City Council adopt a supplemental Memorandum of Understanding **RESOLUTION** modifying the pay grid for Officers and Sergeants for the pay period effective June 26, 2005. The new Memorandum of Understanding will come forward July 19, 2005.

****ACTION:** Concurred with staff recommendation. (Scotto/Witkowski) (Absent Mauno)

****ACTION:** Adopted **RESOLUTION 2005-51.** (Scotto/Nowatka) (Absent Mauno)

AMENDING RESOLUTION NO. 2003-170 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY TORRANCE POLICE OFFICERS' ASSOCIATION

12. HEARINGS

A. Recommendation of the **Community Development Director** that City Council:

- 1) Hold the first public hearing to consider an **ORDINANCE** amending the Torrance Municipal Code to incorporate by reference that part of the California Building Standards Code of the State of California known as the California Electrical Code and the Uniform Administrative Code Provisions for the National Electrical Code with local amendments;
- 2) Approve a **RESOLUTION** of Findings for the Local Amendments; and,
- 3) Approve an **Ordinance Summary** for publication.

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****ACTION:** Public hearing opened at 7:11 p.m.; no speakers from the public came forward;
Public hearing closed at 7:12 p.m. (Scotto/Witkowsky) (Absent Mauno)

****ACTION:** Concurred with the staff recommendation and approved an ordinance summary
for publication. (Scotto/McIntyre) . (Absent Mauno)

****ACTION:** Adopted **RESOLUTION 2005-52** . (Scotto/Nowatka) (Absent Mauno)

FINDING AND DECLARING THE EXISTENCE OF UNIQUE GEOLOGIC, TOPOGRAPHIC, AND CLIMATIC CONDITIONS IN THE CITY OF TORRANCE JUSTIFYING CERTAIN
AMENDMENTS TO THAT PART OF THE CALIFORNIA BUILDING STANDARDS CODE OF THE STATE OF CALIFORNIA KNOWN AS THE CALIFORNIA ELECTRICAL CODE

****ACTION:** Adopted **ORDINANCE 3667**. (Scotto/Nowatka) (Absent Mauno)

AMENDING CHAPTER 2 OF DIVISION 8 OF THE TORRANCE MUNICIPAL CODE BY REPEALING ARTICLES 1 AND 2 OF CHAPTER 2, AND BY ENACTING NEW ARTICLES
1 AND 2, ALL OF WHICH ADOPT OR AMEND THE 2004 EDITION OF THE CALIFORNIA ELECTRICAL CODE AND THE UNIFORM ADMINISTRATIVE CODE PROVISIONS
FOR THE NATIONAL ELECTRICAL CODE

B. Recommendation of the **Community Development Director** that City Council take
the following actions:

- 1) Hold the public hearing on the proposed levy of assessments within the City of
Torrance Lighting District No. 99-1 for Fiscal Year 2005-2006; and,
- 2) Adopt a **RESOLUTION** confirming the diagram and assessment for Fiscal Year
2005-2006 and ordering the improvements in connection with the City of Torrance
Lighting District No. 99-1.

****ACTION:** Public hearing opened at 7:14 p.m.; no speakers from the public came forward;
Public hearing closed at 7:15 p.m. (McIntyre/Witkowsky) (Absent Mauno)

****ACTION:** Concurred with staff recommendation. (Witkowsky/Scotto) (Absent Mauno)

****ACTION:** Adopted **RESOLUTION 2005-53**. (Scotto/Nowatka) (Absent Mauno)

CONFIRMING A DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2005-2006 IN CONNECTION WITH THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1
PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS
CODE, AND AS PROVIDED BY ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

15. 2ND READING ORDINANCES

A. Second and Final Reading of **ORDINANCE NO. 3665** adding a new Section 8 of
Article 2 of Chapter 9 of Division 4 of the Torrance Municipal Code regulating the
parking of vehicles, carts, etc. from which food products or merchandise are sold on
city parks and city park parking lots.

****ACTION:** Concurred with staff recommendation. (Scotto/Nowatka) (Absent Mauno)

****ACTION:** Adopted **ORDINANCE 3665**. (Scotto/Nowatka) (Absent Mauno)

ADDING A NEW SECTION 8 OF ARTICLE 2 OF CHAPTER 9 OF DIVISION 4 REGULATING THE PARKING OF VEHICLES, CARTS, ETC. FROM WHICH FOOD PRODUCTS
OR MERCHANDISE ARE SOLD ON CITY PARKS AND CITY PARK PARKING LOTS

****ACTION:** *Redevelopment Agency met from 7:20 p.m. to 7:21 p.m.* .

16. ORAL COMMUNICATIONS

****ACTION:** **Councilmember Lieu** commented on late Assemblyman Mike Gordon's funeral.

****ACTION:** **Councilmember Scotto** suggested that a portrait or a photograph of individuals
for whom City buildings have been named be displayed in the lobby of the building
that bears his or her name, as was done at the George Nakano Theater.

****ACTION:** **Councilmember Scotto** suggested that after seeing the artwork on display at the
George Nakano theater, that artwork be commissioned for display in the lobbies

of other buildings named after the individuals. .

****ACTION:** **Councilmember Witkowsky** reported that Councilmember Mauno was not present at tonight's meeting because he was attending a PUC hearing to try to preserve the 310 area code, however, he had sent word that a split or an overlay appears to be inevitable because the supply of phone numbers for this area code has been exhausted.

****ACTION:** On behalf of Councilmember Mauno, **Councilmember Witkowsky** thanked Mayor Walker and Bob Espy for their presentations at the independent Cities Association meeting.

****ACTION:** **Councilmember Witkowsky** congratulated South High School graduate Jessica Lauren Hooper on receiving the Girl Scout Gold Award scholarship.

****ACTION:** **Mayor Walker**, with the concurrence of the Council, requested that the City Attorney bring back an amendment to the Torrance Municipal Code limiting the amount of money a candidate may personally lend his or her campaign to \$30,000.

****ACTION:** **Linda Gottshall-Sayed**, President of West Torrance Homeowners Association, reported that a second e-mail disparaging a councilmember had been sent to a number of people from an otherwise unidentified sender using the name Torrance Homeowners @ Yahoo, and she wanted to make clear that this e-mail did not come from any legitimate, recognized homeowners association in Torrance. She voiced her opinion that the practice of sending anonymous e-mails was cowardly and that these e-mails merited no response.

****ACTION:** **Leo Lewis**, Leo Lewis, resident of Knoll's Lodge, Torrance, spoke of poor conditions at the mobile home park and requested the City's help.

****ACTION:** **Councilmember Witkowsky** responded to Mr. Lewis and indicated that resolutions for some of the issues were being pursued by the City.

****ACTION:** **Philip Shelton**, Phillip Shelton, Knoll's Lodge resident, echoed concerns about conditions at the mobile home park.

Councilmember Witkowsky noted that she met with the homeowners association and the park's management company last week and reported that the situation is improving and Police and Fire Department staff will continue to work with management to try to resolve residents' concerns.

****ACTION:** Karen Seidler, Knoll's Lodge resident, commented on health and safety issues and parking problems at the mobile home park and reported incidents of harassment by park management.

****ACTION:** **Bonnie Mae Barnard**, Save Historic Old Torrance, announced the upcoming Torrance Historic Home Tour to be held on Saturday and Sunday, July 16 and 17, noting that the tour begins at the Zamperini house, 2028 Gramercy, where Louis Zamperini will be available to autograph copies of his book, *Devil at My Heels*, on Saturday.

****ACTION:** **Mayor Walker** announced that the Torrance Historical Society would be holding a 50's night on Thursday, July 18, in honor of Torrance's All American City award and invited everyone to attend.

****ACTION:** **Patrick Furey**, Northwest Torrance Homeowners Association, reiterated that the e-mails sent by Torrance Homeowners @ Yahoo were not from the Northwest Torrance Homeowners Association or any member of the coalition of Torrance homeowners associations.

****ACTION:** **Greg Ferguson**, TME AFSCME Local 1117, reported that workers were without

a contract, but intend to continue negotiations and noted a mediation set for bus drivers.

****ACTION:** **Alan Lee**, AFSCME International, discussed ongoing labor negotiations concerning bus operators and noted his intention to follow the deferred compensation issue to its conclusion. He reported that he has been the victim of disparaging e-mails and urged Councilmember Scotto to respond to allegations made in the anonymous e-mails.

****ACTION:** **Greg Robinson**, Arlington Avenue, spoke about traffic on Arlington Avenue, the proposed Historic Preservation Overlay and a construction project on his property.

17. EXECUTIVE SESSION

City Council Closed Session

A. CONFERENCE WITH LABOR NEGOTIATOR

(California Government Code § 54957.6):

Agency Negotiator: LeRoy J. Jackson

Employee Organization/Association:

- | | |
|--|--|
| 1. Certain Full-Time Salaried and Hourly Employees | 11. Torrance Fire Fighters Association |
| 2. Certain Part-Time Hourly Employees | 12. Torrance Fiscal Employees Association |
| 3. Crossing Guards | 13. Torrance Library Employees Association |
| 4. Elected Officials | 14. Torrance Municipal Employees/AFSCME Local 1117 AFL-CIO |
| 5. Engineers Association | 15. Torrance Police Commanders' Association |
| 6. Executive & Management Employees | 16. Torrance Police Officers Association |
| 7. Police & Fire Trainees | 17. Torrance Professional Parks & Recreation Employee Organization |
| 8. Safety Management Employees | 18. Torrance Professional & Supervisory Association |
| 9. Torrance City Employees' Association | 19. Torrance Recurrent Recreational Employees Organization |
| 10. Torrance Fire Chief Officers Association | |

B. REAL PROPERTY - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

(California Government Code § 54956.8):

1. Property: 24751 Crenshaw Boulevard
Agency Negotiator: LeRoy J. Jackson
Negotiating Parties: City of Torrance and Bill Adkins, South Bay Lexus
Under Negotiation: Terms and conditions of new lease

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(California Government Code § 54956.9[a]):

1. Jeffrey Haire v. City of Torrance
WCAB No. MON03039949; MON Unassigned

Redevelopment Agency Closed Session – None

****ACTION:** No formal action was taken on any matter considered in closed session.

18. ADJOURNMENT

- A. Recommendation of the City Manager that City Council adjourn City Council and Redevelopment Agency to Tuesday, July 19, 2005, at 5:30 p.m. for an executive

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session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

****ACTION:** At 8:16 p.m. City Council and Redevelopment Agency adjourned to Tuesday, July 19, 2005 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. Moved by Councilmember Witkowski and seconded by Councilmember Lieu. (Absent Mauno)

Sue Herbers, CMC
City Clerk

**“Never esteem anything as of advantage to you that will
make you break your word or lose your self-respect.”**

— *Marcus Aurelius*

City Hall will be closed: Friday, July 8, Friday, July 22, Friday, August 5, and Friday, August 19